AF/1713

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4/18/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of	)	Box AF
	)	
HUEFFER et al.	)	Group No. 1713
	)	
Serial No.: 09/041,698	)	Examiner: C. Lu
	)	
Filed: March 13, 1998	)	
	)	

For: HIGHLY CRYSTALLINE PROPYLENE HOMOPOLYMERS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:
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Date of Signature

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

REPLY BRIEF

Sir:

Applicants withdraw the appeal as to claims 12 and 14. An amendment canceling claims 12 and 14 accompanies this reply brief. Accordingly, the only issue remaining for decision by the Board of Appeals and Interferences is whether process claims 3-11 are obvious within the meaning of 35 USC 103(a) over Shinosaki et al. or Noristi et al. For the reasons set forth in applicants' Appeal Brief, it is submitted that the examiner has not established a *prima facie* case of obviousness.

In contrast to applicants' claimed process, Shinosaki et al. fail to disclose or suggest that the titanium solid component is produced by reacting a magnesium alkyl compound with TiCl4. Similarly, Noristi et al. are also silent on recommending reacting

a magnesium alkyl compound with TiCl4 during the preparation of the titanium solid compound. For this reason, neither Shinosaki et al. nor Noristi et al. considered alone or in combination suggests applicants' claimed invention. Further, applicants point out that the object of the claimed invention as set forth on page 2, lines 32-35 of the specification, i.e., providing propylene homopolymers which have a low content of xylene-soluble fractions, a low chlorine content and a high content of polymer chains having long, perfectly isotactic polymer sequences, a consequence of which is a higher melting point, a higher crystallization rate and a higher material rigidity, is not part of the teaching of Shinosaki et al. and Noristi et al. Accordingly, applicants submit that claims 3-11 are not obvious over these references.

CONCLUSION

The examiner has not established a *prima facie* case of obviousness, and the rejections should therefore be reversed.

Respectfully submitted,
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